

SCANNED
DATE: 3/24/04
BY: C.R.C.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

09/23/2004

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAN AMERICAN AIRWAYS CORP.,)
Plaintiff/Counter-Defendant)
v.)
ROBERT E. BARNES)
Defendant/Counter-Plaintiff)

Case No. 04-CV-10515JLT

**MOTION FOR SUMMARY JUDGMENT ON COUNTS I AND IV OF
PLAINTIFF/COUNTER-DEFENDANT'S AMENDED COMPLAINT.**

NOW COMES Defendant/Counter-Plaintiff, Robert E. Barnes, by and through his attorney, and hereby moves this Court, pursuant to Fed. R. Civ. P. 56(c) and Local Rule 56.1, to grant summary judgment for the Defendant/Counter-Plaintiff's on Counts I and IV of Plaintiff/Counter-Defendant's amended complaint.

This motion is supported by Defendant/Counter-Plaintiff's Memorandum of Law and Defendant/Counter-Plaintiff's Affidavit.

Pursuant to Local Rule 7.1(A)(2), counsel hereby certifies that he and counsel for the Plaintiff/Counter-Defendant have conferred and attempted in good faith to resolve or narrow the issue.

Respectfully submitted,

Dated: September 21, 2004

Peter Piel

Peter Piel
Law Office of Peter Piel
800 Turnpike Street, Suite 300
North Andover, MA 01845
978-794-5513
BBO # 639070